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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DONALD OLIVER, :

Plaintiff,

: Case No. 3:12cv00398

vs.

: District Judge Thomas M. Rose
Chief Magistrate Judge Sharon L. Ovington

CAROLYN W. COLVIN, :
Acting Commissioner of the Social
Security Administration, :

Defendant.

:

DECISION AND ENTRY

This case is before the Court upon the parties' Stipulation To Award EAJA Fees. (Doc. #15). The parties agree that Plaintiff is entitled to an award of attorney fees under the Equal Access to Justice Act, 28 U.S.C. §2412, in the total amount of \$3,650.00. The parties also agree that such an award will fully satisfy any and all of Plaintiff's claims for fees, costs, and expenses under the EAJA.

Under the parties' agreement, any EAJA fees paid belong to Plaintiff and can be offset to satisfy pre-existing debt that he owes the United States. *See Astrue v. Ratliff*, 560 U.S. 586, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010).

Accordingly, the Court hereby **ORDERS** that:

1. The parties' Stipulation To Award EAJA Fees (Doc. #15) is accepted, and Defendant shall pay Plaintiff's attorney fees, costs, and expenses under 28 U.S.C. §2412 in the total amount of \$3,650.00;
2. Defendant shall verify, **within thirty days of this Decision and Entry,** whether or not Plaintiff owes a pre-existing debt to the United States subject to offset. If no such pre-existing debt exists, Defendant shall pay the EAJA award directly to Plaintiff's attorney; and
3. The case remains terminated on the docket of this Court.

March 12, 2014

s/Thomas M. Rose

Thomas M. Rose
United States District Judge